

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DELTA PILOTS ASSOCIATION,)	
)	
Plaintiff)	
)	
v.)	No. 1:14-cv-00225-AKH
)	
JOHN DOE,)	
)	
Defendant.)	
_____)	

SECOND DECLARATION OF ARTHUR LUBY

I, Arthur Luby, declare as follows:

1. I am an attorney admitted to the bars of Michigan and the District of Columbia and am a Corporate Counsel Registrant in Virginia. I also am the Assistant Director of the Representation Department of the Air Line Pilots Association, International ("ALPA"). I joined the Representation Department in February 2005. Prior to that time, I was engaged in the private practice of law from June 1981 through January 2005.

2. I submitted an earlier declaration in this case in connection with the motion by the Delta Pilots Association ("DPA") to compel ALPA and one its constituent bodies (the Delta Airlines Master Executive Council) to produce certain documents pursuant to subpoenas duces tecum. I also attended the August 14, 2014 hearing on that motion to compel.

3. On October 7, 2014, I spoke to the Delta Pilot whose name was ordered to be kept confidential in this Court's orders of August 14-15, 2014. This is the same Delta Pilot who is discussed in my earlier declaration. The Delta Pilot advised me, and authorized me to disclose to the Court, that he never received a subpoena for documents or testimony from DPA after the August 14 hearing, and that he likewise never received an email from DPA requesting that he testify at a deposition.

Pursuant to 29 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 7, 2014

By:


Arthur Luby